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5   UNITED STATES DISTRICT COURT

6   NORTHERN DISTRICT OF CALIFORNIA

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8   RIGOBERTO SARAMIENTO, et al.,   Case No. 20-cv-07974-BLF   (SVK)

9   Plaintiffs,

10   v.   **ORDER ON DISCOVERY LETTER
                                              BRIEFS**
11   FRESH HARVEST, INC.,, et al.,   Re: Dkt. Nos. 63, 67, 70

12   Defendants.

13   The Court's rulings on Dkt. 63, 70 are attached hereto at Exhibit A (Fresh Harvest) and

14   Exhibit B (SMD). The Court's rulings regarding Dkt. 67 are attached hereto at Exhibit C.

15   This case presents a common dispute in class actions regarding the scope of discovery

16   prior to class certification. The pending motion for summary judgment filed by Defendants Fresh

17   Harvest and SMD on the dispositive issue of their status as employers of Plaintiff Sarmiento (Dkt.

18   28) also arguably impacts discovery. Addressing these discovery challenges has been hampered

19   by the tendency of both sides to stake unreasonable positions along with an unwillingness to make

20   reasonable compromises as to either scope of requests or breadth of responses. The parties'

21   presentation of issues with clarity, until Dkt. 70, has also been problematic. See, Dkt. 64, 65. The

22   Court expects better on all fronts in future discovery submissions.

23   As reflected in the attached rulings, the Court generally has ordered discovery where it

24   may tend to inform issues in Dkt. 28 and has deferred rulings on certain broader liability-oriented

25   requests. **Documents to be produced by Defendants Fresh Harvest and SMD are ORDERED**

26   **to be produced by August 31, 2021. Interrogatory responses and documents to be produced**

27   **by Plaintiffs are ORDERED to be produced by September 15, 2021, EXCEPT where the**

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earlier production date of August 31, 2021 is noted.[1]

      SO ORDERED.

Dated: August 6, 2021

                                    SUSAN VAN KEULEN
                                    United States Magistrate Judge

United States District Court
Northern District of California

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[1] As reflected in Dkt. 76, the briefing schedule as to Dkt. 28 has recently been adjusted, and these production dates take into consideration the new briefing schedule.